

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBRA NOCHIMSON, on behalf of herself and
others similarly situated in the proposed FLSA
Collective Action,

Plaintiff,

-v-

OASIS LUXE MANAGEMENT & CO. INC. and
MICHAEL G. MEMON,

Defendants.

CIVIL ACTION NO.: 22 Civ. 7197 (PAE) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On January 27, 2023, the Court granted Plaintiff Debra Nochimson's ("Ms. Nochimson") letter-motion requesting permission to serve Defendant Michael G. Memon ("Mr. Memon") by alternative methods (i.e., delivering the Summons and Complaint to his counsel of record, Sullivan & Worcester LLP ("Sullivan")). (ECF No. 25 (the "Jan. 27 Order")). On February 17, 2023, a process server delivered the Summons and Complaint to Sullivan. (ECF No. 26). On February 21, 2023, Sullivan filed a letter-motion requesting that the Court rescind the Jan. 27 Order and "rescind any authorization to serve defendants via [Sullivan]." (Id. (the "Letter-Motion")). On February 22, 2023, the Court directed Ms. Nochimson to respond to the Letter-Motion by February 27, 2023.

On February 27, 2023, Ms. Nochimson stated that she was "amenable" to modifying the Jan. 27 Order to permit her to "effectuate service of the Summons & Complaint via [Mr. Memon's] Instagram[] and LinkdIn[] [sic] social media accounts." (ECF No. 29 (the "Letter-Motion for Alternative Service")). Ms. Nochimson does not provide, however, any authority for this alternative method of service. Accordingly, the Letter-Motion for Alternative Service is DENIED

WITHOUT PREJUDICE on the ground that Ms. Nochimson has failed to provide authority to support alternative service via Instagram and LinkedIn. If Ms. Nochimson has persuasive authority for such alternative service, then, by **Tuesday, March 7, 2023**, Ms. Nochimson may renew her request to serve the Summons and Complaint on Mr. Memon by alternative methods.

Dated: New York, New York
February 28, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge